ಮೈಸೂರು ವಿಧಾನಸಭೆ

MYSORE LEGISLATIVE ASSEMBLY

Monday, 9th March 1970.

The House met in the Assembly Chamber, Vidhana Soudha, Bangalore, at One of the Clock.

[MR. SPEAKER (SRI S. D. KOTHAVALE) in the Chair]

STARRED QUESTIONS

(to which oral answers were given)

IMPLEMENTATION OF LAND REFORMS ACT

275. SRI D. B. KALMANKAR (Aland):—Will the Minister for Revenue be pleased to state :

(*a*) the steps taken or proposes to be taken to implement the provisions of the Mysore Land Reforms Act early as reported to have been agreed upon in the Chief Ministers Conference held in New Delhi in the month of November, 1969 ;

(*b*) whether there is a proposal before Government to amend the Land Reforms Act to enable the Government to confer the rights of ownership of land on the actual tillers of the soil ?

SRI H. V. KOUJALGI (Minister for Revenue):—

(*a*) The authorised proceedings of the conference are awaited. But anticipatory action hasbeen initiated in regard to the abolition of the remaining privileged enures, speeding up of updating land records and increasing thet tempo of disposals of Land Reforms cases.

(*b*) Provisions already exist in Chapter III of the Mysore Land Reforms Act, 1961 for conferment of owner ship of Land on the tenants;

SRI D. B. KALMANKAR:—You have replied that authorised proceedings of the Conference are awaited. May I know what were the proceedings that actually took place and what were the concrete decision that were taken to impliment the Land Reforms?

SRI H. V. KOUJALGI:—The desision are, firstly to remove the intermediaries secondly to fix the rent and thirdly to lower the ceilings etc. So far as the ceilings are concerned they may vary from place to place and from State to State.

SRI D. B. KALMANKAR:—In view of the proceedings of the Chief Ministers Conference, will the Government feel that their is need to bring down the ceilings of the holdings in our State?

SRI H. V. KOUJALGI:—Of course the ceilings have to be fixed after deliberations and consultations because the ceilings will vary from place to place and from State to State.

ಶ್ರೀ ಎಂ. ನಾಗಪ್ಪ:—ಸ್ವಾಮಿ, ಭಾರತ ದೇಶದ ಅನೇಕ ರಾಜ್ಯಗಳಲ್ಲಿ ಇರತಕ್ಕಂಥ ಸೀಲಿಂಗ್ ಯೋಚನೆ ಮಾಡಿ ನಮ್ಮಲ್ಲಿಯ ಸೀಲಿಂಗ್ ಗೊತ್ತು ಮಾಡಿದೆ ಎಂದು ಈಗ ತಾವು ಹೇಳಿದಿರಿ. ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ಈ ಸೀಲಿಂಗ್ ಹೆಚ್ಚು ಇದೇ ಎಂದು ತಾವು ಒಪ್ಪುತ್ತೀರಿ, ಅದನ್ನು ಪರಿವರ್ತನೆ ಮಾಡಿ ಬೇರೆ ರಾಜ್ಯಗಳಲ್ಲಿ ಇರತಕ್ಕಂಥ ಕನಿಷ್ಠ ಸೀಲಿಂಗ್ ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ಜಾರಿಗೆ ತರಲು ಯೋಚನೆ ಮಾಡುತ್ತೀರಾ?

SRI H. V. KOUJALGI:—That is the honest opinion of the Hon. Member. This is a point for consideration.

SRI M. S. KRISHNAN:—Are you aware that because of the lacuna on the Land Reforms Act in regard to vesting of land with the small tenants, it has not been possible for the Government to impliment the Land Reforms Act? Are you prepared to remove that lacuna in the same manner as Kerala Government did?

SRI H. V. KOUJALGI:—There is no lacuna so far as the Land Reforms Act is concerned. If any specific provision is defecteve in the opinion of the Hon. Member, I will again exomine it.

SRI D. B. KALMANKAR;—May I know whether the Government have collected figures as to the number of tenants that have already been evicted and the number of tenants that will be evicted when this Act is fully implemented?

SRI H. V. KOUJALGI:—Sir, the Government has not maintained list to show how many tenants have been evicted and how many will be evicted. However there is a provision in the Act that if any tenant is

evicted, he can seek remedy in a Court of Law. Since the Act is still to be implemented it is not possible to say how many tenants will be evicted.

SRI D. B. KALMANKAR:—As per Chapter III of Land Reforms Act, 1961, the confirmation of the ownership rights to the tiller of the soil will atleast take 15 to 20 years as per the existing provisions. Will the Government take some steps to amend the provisions and see that the confirmation of the ownership rights to the tenants is given at the earliest?

SRI H. V. KOUJALGI.—15 to 20 years are not required for giving confirmation of the ownership rights. In my opinion, it may take 4 to 5 years after the Act is given effect to.

ಶ್ರೀ ಸಿ. ಆರ್. ರಂಗೇಗೌಡ.—ಸ್ವಾಮಿ, ಜಮೀನುದಾರರು ಟೆನೆಂಟ್ಸ್‌ಗಳಿಗೆ ತೊಂದರೆ ಕೊಡುತ್ತಾರೆ, ಹರಿಜನ ಗಿರಿಜನರ ಹತ್ತಿರ ಹಣ ಇಲ್ಲದಿದ್ದಿರಿಂದ ಕೋರ್ಟು ವ್ಯವಹಾರ ನಡೆಸಲು ಅವರಿಗೆ ಸಾಧ್ಯವಿಲ್ಲ. ಕೋರ್ಟು ಆಫ್ ಲಾ ಕ್ಕೆ ಹೋಗಲು ಅವರಿಗೆ ಚೈತನ್ಯವಿಲ್ಲ. ತಾಲ್ಲೂಕು ರಿಕಾರ್ಡ್ಸ್ ತರಿಸಿಕೊಂಡು ಏನಾದರೂ ಕ್ರಮ ತೆಗದುಕೊಂಡು ಟೆನಂಟ್ಸ್‌ಗಳಿಗೆ ಸೌಲಭ್ಯ ಒದಗಿಸಿಕೊಡಲು ವ್ಯವಸ್ಥೆ ಮಾಡುತ್ತೀರಾ?

SRI H. V. KOUJALGI :—If such instances are brought to the notice of the Government, the Government will take action.

ಶ್ರೀ ಎಸ್. ಎಂ. ಗುರೆಡ್ಡಿ :—ಭೂಸುಧಾರಣಾ ಕಾನೂನು ಪ್ರಕಾರ ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ಹಂಚುವುದಕ್ಕೆ ಎಷ್ಟು ಭೂಮಿ ಇದೆ, ಜನರಿಗೆ ಹಂಚುವುದಕ್ಕೆ ಎಷ್ಟು ಸಾಧ್ಯವಿದೆ ಎನ್ನುವುದಕ್ಕೆ ಅಂಕಿಅಂಶಗಳು ಇವೆಯೇ ?

SRI H. V. KOUJALGI :—Datails are not with us.

SRI D. B. KALMANKAR :—As this House is aware the small holders are not getting desired benefits out of the provisions of the Act. Is the Government thinking of enlarging the benefits to the small holders?

SRI H. V. KOUJALGI :—The small holders are getting the maximum benefit under the present Act. No more concessions will be given.

SRI C K. RAJAIAH SHETTY :—You were pleased to say that the Land Reforms Act will be implemented as early as possible. I want to know why the Government should not take possession of the lands and then give them to the tenants. Then there will be no botheration for the poor tenants.

SRI H. V. KOUJALGI :—As per the provisions of the Act, the Government can pay in many cases.

ಶ್ರೀ ಎನ್. ಎ. ಚನ್ನೆಗೌಡ :—ಒಂದು ನಿರ್ದಿಷ್ಟ ಅವಧಿಯಲ್ಲಿ ಈ ಲ್ಯಾಂಡ್ ರಿಫಾರ್ಮ್ಸ್ ಆಕ್ಟ್ ಜಾರಿಗೆ ಕೊಡಲು ನಿಷ್ಕರ್ಷಿಸಿ, ಕಾನೂನು ಜಾರಿಗೆ ಕೊಡಲು ಏರ್ಪಾಡು ಮಾಡುತ್ತೀರಾ ?

SRI H V. KOUJALGI :—It is not possible to fix time because there will be first appeal, second appeal and all these things will go on. This is entirely letf to the whims of the party.

ಶ್ರೀ ಬಿ. ದೊಡ್ಡಬೋರೇಗೌಡ :—ಸ್ವಾಮಿ, ಭೂಸುಧಾರಣಾ ಪ್ರಕರಣ ವಿಲೇವಾರಿ ಮಾದಲು ಪೂರ್ವಭಾವಿ ಕ್ರಮ ಪ್ರಾರಂಭವಾಗುತ್ತದೆ ಪೂರ್ವಭಾವಿ ಕ್ರಮ ಪ್ರಾರಂಭವಾಗಿ ಕೋರ್ಟಿಗೆ ಹೋಗುವಾಗ ಸಾಮಾನ್ಯವಾಗಿ ವಕೀಲರಿಗೆ ಫೀಜ್ ಕೊಡಲಿಕ್ಕೆ ಬಡ ರೈತರಿಗೆ ಸಹಾಯ ಮಾಡುತ್ತೀರಾ ?

SRI H. V. KOUJALGI :—Sir, for such poor people. free legal aid is given. Further they need not give any Court fee and Stamp fee. What are all the concessions given are given in the Act.

SRI D. B. KALMANKAR :—Has it come to the notice of the Government that all these concessions like giving Court fee, Lawyer's fee etc., are only on the paper and no action has been taken ?

SRI H. V. KOUJALGI :—With regard to the exemption of court fee, a decision has been taken very recently about 2 monthsi back. So far as legal aid is concerned, provision is there, but it wi l arise only when the party asks for it. Unfortunately, however poor a person may be, he goes to a lawyer and pays him money thinking that he will do the job sincerely.

ಶ್ರೀ ಬಿ. ಭಾಸ್ಕರ್ ಶೆಟ್ಟಿ:—ದಕ್ಷಿಣ ಕನ್ನಡ ಜಿಲ್ಲೆಯಲ್ಲಿ ಇಲ್ಲಿಯವರೆಗೂ ಇನ್ನೂ ನ್ಯಾಯ ಗೇಣಿಯನ್ನು (ಫೇರ್‌ರೆಂಟಿನ್ನು) ನಿಗದಿ ಮಾಡಿಲ್ಲ ಅದನ್ನು ಯಾವಾಗ ನಿಗದಿ ಮಾಡುತ್ತೀರಿ ?

SRI H. V. KOUJALGI:—Rent applications pertaining to South Kanara could not be disposed of as the notifications issued by the Tahsildars were found defective and were set aside in many writ petitions. Government have now given them directions and the notifications have been properly issued by the Tahsildars, and the applications have been disposed of by the various Courts.

DRAINAGE SCHEME FOR DAVANGERE CITY

282. SRI H. SIDDAVEERAPPA (Harihar):—Will the Minister of State for Municipal Administration be pleased to state:—

(*a*) whether the Karnatak Construction Company has entered into a contract with the Government for the Drainage Scheme in Davangere City ;

(*b*) if so, the value of the contract ;

(*c*) whether there are complaints to the effect that the contractors have not done the work satisfactorily and that there are defects in the constrution ; if so, the action, if any, taken in this behalf ?